

the Act. 2°. That a *remainder-man* is within the Act, though the preamble and body of the Act speak only of the reversioner. And 3°, the defendant having pleaded an assignment to A., before which no waste done, and the plaintiff having replied the Statute, and that the grant to A. was to the *intent*, that he might not know against whom to bring his action of waste, and averred a taking of the profits, and the defendant having in his rejoinder traversed the intent, it was resolved that the intent aforesaid was not traversable, but the pernency of the profits, for in that the intent was implied. It is said in F. N. B. 56 A., that if tenant for life or years does waste and grants over his estate, the writ lies against him who did the waste and not against the grantee; but if waste be done after the alienation, it lies against the tenant, F. N. B. 60 L., with a *quære*.

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CAP. VI.

No suit pending before any Justices, shall be discontinued by a new Commission.

Item, Our Lord the King considering the great Losses and Damages which oftentimes have come, and be likely to come hereafter, as well to himself as to many of his Lieges, for that where as well divers Indictments and Suits for our Lord the King, as other Suits between Party and Party, have been taken before divers Justices of the Peace, assigned by several Commissions of our said Lord the King in divers Counties of *England*, and divers Pleas and Processes upon those Indictments have often been made, and hanging before the same Justices not determined, the which Pleas and Processes have been often discontinued, by making of new Commissions of the Peace in those Counties, to the great

Item nostre seignour le roi considerant lez grandes perdes & damages que sovent foitz ount avenuz & verisemblablement avenderount en apres sibien a luy mesmes come as plusours dez sez leges de ceo qe la oue sibien diversez enditementtez & sutes pur nostre seignour le roi come autres sutes parentre parte & parte ount este prisez devant diversez justices de pees assignez par diversez commissions de roi en diversez countes d'Engleterre & diverses plees & processes sur icelles enditementz ount sovent este faitez & pendantz devant mesmes les justices nient determinez lez quex plees & processes sovent ount este discontenuz par faisaunces de novell commissions du pees en icelles countes a grande perde nostre